



VENTURA COUNTY SHERIFF'S OFFICE

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DEC 29 2014
FCC Mail Room

- GEOFF DEAN
Sheriff
- GARY PENTIS
Assistant Sheriff
- STEVE DE CESARI
Assistant Sheriff

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December 16, 2014

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, Southwest
Washington, DC 20554

Re: WC Docket Number 12-375

DOCKET FILE COPY ORIGINAL

Dear Secretary Dortch:

As the Sheriff of Ventura County, I am writing to provide background and context to inmate phone service costs which are being considered by your commission. Ventura County, California (population 840,000) is situated on the Pacific Ocean to the north of Los Angeles County. Our county has a rich tradition of partnership, transparency and accountability. As such, I take my role as chief law enforcement officer in the county very seriously and work diligently to provide effective and efficient superior service to all our clients, which includes those inmates we house in our detention facilities.

As part of a sheriff's constitutional duties, my office is charged with operating the county jail. Our facilities house an average of 1680 inmates. During their incarceration, inmates are offered a number of programs which seek to prepare them for re-entry into the community. The monies received from the inmate phone system directly support these programs.

I write to you in support of maintaining the current revenue model for inmate phone services. Unfortunately, the steps you are taking to eliminate commissions to assist inmates will in fact be very detrimental to inmates in California; as the funds generated by the inmate phone system in our state are mandated for inmate programs and will be impossible to replace.

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Commissions support services which directly benefit the inmate population.

Annually, my agency spends approximately \$2,000,000 on staff and programs specifically geared and directed toward positioning inmates for a successful transition

☐ SPECIAL SERVICES

5177 Camino Ruiz
Camarillo, CA 93012
(805) 383-8791 Fax (805) 389-6549

☐ PATROL SERVICES

2101 East Olsen Road
Thousand Oaks, CA 91360
(805) 494-8260 FAX (805) 494-8295

☐ DETENTION SERVICES

800 South Victoria Avenue #3400
Ventura, CA 93009
(805) 654-2305 FAX (805) 654-3500

☐ SUPPORT SERVICES

800 South Victoria Avenue #3300
Ventura, CA 93009
(805) 654-5134 FAX (805) 677-8715

from custody to community life. These programs are vital in providing inmates with opportunities to develop academic, vocational, and social skills necessary for a successful re-entry into the community. Additionally, the activities available provide inmates the opportunity to maintain their physical and mental well-being.

The academic and vocation programs available through these funds include GED preparation, GED testing, Computer skills and software (Microsoft Word and Excel) training, as well as job readiness and preparedness classes. Social development programs include substance abuse treatment, anger management classes, cognitive-behavioral restructuring classes, and religious services. The funds in question are used to provide educational materials, including text books, computers and instructional software, program specific workbooks, and pencils and paper.

The social and physical activities supported by these funds include recreational equipment such as board games, playing cards, exercise equipment (basketballs, handballs), televisions and television service. This revenue also funds an array of self-help books and reading material available via an inmate library system.

Finally, personnel are needed to coordinate all the services either by directly providing instruction and coordinating instruction with partner agencies, teachers and volunteers. The funds are used to provide for full-time staff and contracted positions whose sole job is to deliver these services.

Revenue from inmate phone calls support all of the programming described. However, it is important to note that phone call funds in my county only account for approximately 75% of the cost for these valuable programs. We do not, nor are we allowed under California law to offset our general fund or facility operational expenses with monies from the inmate phone system. I realize this mandate is not in place throughout the country and may be an option in allowing for the retention of phone commissions.

I recognize a majority of the commission has publicly stated its intent to move toward elimination of commissions. In light of this, I strongly urge you to consider a viable cost recovery rate cap for jails and to allow for a three-year transition away from the current system should commissions be eliminated.

In the case of Ventura County Jail facilities, an administrative cost recovery rate of .142 cents per minute [see exhibit A] would allow for the true recovery of costs associated with providing a safe, secure and accessible phone system to our inmate population.

True recovery of costs must include security

I would like to take a moment to elaborate on the use of the words safe and secure in

this letter. Jails and prisons can be very dangerous places for staff and inmates. Violence and victimization unfortunately do occur within the inmate population. Congress has acknowledged this and efforts such as the Prison Rape Elimination Act (PREA) have been undertaken to help address some of these issues. Nonetheless, inmates are susceptible to being victims of more sophisticated inmates.

It is vitally important that if a theft of phone services is suspected and/or reported in a jail, an investigation take place and the perpetrator identified and dealt with. Failure to act invites future theft and can encourage organized criminal enterprises to develop within the facility. It is an unfair argument to suggest that phone rates in the community should be mirrored in the custody environment. Everything in a jail, from the windows to the doors to the food trays are designed and built to enhance safety and reduce the risk of injury to inmates and staff. An example can be as simple as a door, which in one of our homes may cost \$50, however a door in a jail facility can cost thousands of dollars. Likewise, there are underlying costs which support the ability to have an inmate phone system that a residential phone customer does not have to provide. As stated earlier, in my facilities that cost is approximately .142 cents per minute.

Inmate Call Service Providers describe in detail their costs, almost to the exclusion of facility expenses. ICS (Inmate Call Service) providers also seem to point to commissions as the sole reason calls in a jail are costly. ICS providers do not understand the extent to which a jail's infrastructure allows them to conduct business. ICS providers operate their business within an environment which is created, operated and managed by our jail staff and physical facilities.

There can be no doubt that the unique atmosphere that a jail operates in has costs that necessitate a more robust and costly infrastructure to support. These challenges directly contribute to a higher cost to operate the inmate phone system.

Three-years will allow for a more seamless transition away from commissions

I urge your commission to adopt a three-year or four-year transition period for facilities to adjust to the loss of revenue. In the case of Ventura County, we request this extended period to allow impacted employees time to find alternate employment, as the inmate services staffing levels will become unsustainable. We also seek a longer transition so that more efficient ways to deliver services to inmates may be explored. It is not my intent, nor intention, to cry wolf or to over inflate the impact that the loss of commissions will have on my agency; however, inmate services in Ventura County are supported by revenue generated by these phone calls. A significant loss of revenue such as the loss of commissions will have a real impact on my inmate services budget. There will be real consequences to my facilities and the programs we provide to the inmates.

Concluding remarks

I appreciate the efforts of the Wright Petitioners and their desire to eliminate unnecessary expense from the inmate phone system. However, I must respectfully point out that in the case of my facilities, the funds generated by these phone calls are dedicated to helping improve an inmate's transition to the community. Additionally, there are costs directly attributable to the phone system which makes each call more expensive than the prevailing rates in the community. These costs, which are identified in exhibit A, are necessary and legitimate costs of providing a phone system that balances accessibility with safety and security.

Thank you for the opportunity to provide input and perspective to this issue. I welcome the opportunity to provide more elaborative detail to your commission and staff and invite you to contact Captain Rob Davidson at (805) 648-9275 with any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Geoff Dear".

Geoff Dear, Sheriff
County of Ventura

rd:GD

cc: Nick Warner, Managing Partner, Warner & Pank LLC
Cory Salzillo, Managing Director, Warner & Pank LLC

Attachment: (1) Exhibit A

EXHIBIT A

Inmate Phone System – Direct Costs Only ¹

Received & Inspected

DEC 29 2014

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Phone Minutes per Year	Phone System Costs (Facility)	Cost per Minute to Operate
3,600,000	\$511,538.48	.142 cents per minute

Position	Location	Task	% phone related	Bi-weekly Salary & Benefits	Bi-Weekly Phone Support Cost	Annual Phone Support Cost
Commander	Main Jail	Administrative	2.5%	\$ 13,736.67	\$343.42	\$8,928.84
Captain	Division Admin	Administrative	5.0%	\$ 11,858.48	\$592.92	\$15,416.02
Sergeant	Legal Unit	Operations	15.0%	\$ 9,864.23	\$1,479.63	\$38,470.50
Sergeant	Classification	Investigative	7.5%	\$ 9,864.23	\$739.82	\$19,235.25
Sr. Dep.	Classification	Investigative	5.0%	\$ 8,952.18	\$447.61	\$11,637.83
Deputy	Classification	Investigative	20.0%	\$ 8,163.93	\$1,632.79	\$42,452.44
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Admin Asst II	Legal Unit	Admin /operations	5.0%	\$ 3,652.85	\$182.64	\$4,748.71
Mgt Asst I	Legal Unit	Clerical	100.0%	\$ 2,559.57	\$2,559.57	\$66,548.82
Commisary Mgr	Inmate Svcs	Inventory	20.0%	\$ 9,432.76	\$1,886.55	\$49,050.35
Commisary Staff	Inmate Svcs	Inventory /delivery	100.0%	\$ 2,185.64	\$2,185.64	\$56,826.64
Commisary Staff	Inmate Svcs	Inventory /delivery	50.0%	\$ 2,185.64	\$1,092.82	\$28,413.32
						\$511,538.48

Commander, Captain & Admin Asst II: These positions oversee the contract, policy issues, resolve system wide concerns and address legal/court claims.

Sergeant: The sergeants direct and participate in day to day operations of the phone system including service issues, investigative actions, phone access, coordinate privileged call rosters and other hands-on Supervision of the phone system.

Sr. Deputy: The Sr. Deputy leads the investigative arm of the phone system and works with the classification deputies to ensure investigative efforts are effective.

Deputy: The classification deputies conduct criminal and other investigations within the jail facilities.

Mgt Asst I: This position fulfills requests from inmate attorneys, district attorneys and other court officers related to jail phone call recordings, as well as testifies in court as a custodian of records.

Commissary: Commissary staff orders, stocks, inventories, processes and delivers phone calling cards to inmates throughout all of our jail facilities.

¹ Indirect (Overhead) costs are not been included in our calculation of costs.